

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:31 p.m. in the Council Chambers. Councilmembers present were: Cole, McCormick, Paine, Plackett, and Robinson.

PRESENTATIONS

Kim Van Ekstrom, Planning Manager, Marketing and Information, and Peter Robinson, Information Services Manager, demonstrated some of the new features on the city's website, www.redmond.gov.

ITEMS FROM THE AUDIENCE

Nancy Churchill, 16206 NE 116 Street, spoke in opposition to the proposed overlay district because she would be highly impacted. She said the problems on the street existed a long time before the development started, and people have been asking to have it improved for years. She said the entire city would benefit from the improvements.

Ms. Churchill said she did not hear the details of the proposed overlay district until this week. She noted the residents received mail several months ago that the city was considering an overlay district, but there has been no communication from the city with specific numbers. She urged the city to do a better job of communicating with the residents on NE 116 Street.

Jim Pearman, 8240 SE 67 Street, Mercer Island 98040, spoke about the proposal to begin destination marketing to promote economic development in Redmond. He said there was a void on the Eastside when the East King County Convention/Visitors' Bureau closed last year. He noted that their website received twenty-two thousand visits a month. He explained that people miss what the Bureau did for the community; he has been approached by Redmond businesses that were involved in the Bureau and expressed a desire to get it going again. He concluded they have put together a proposal, and hope to make Redmond the anchor of tourism on the Eastside.

Jim Tosti, 2981 168 Avenue NE, speaking on the NE 116 Street overlay zone, referenced his memorandum and matrix the Council received outlining all the projects that are approved, the building permits associated with those projects, and the amount of money Redmond will get if the overlay zone is enacted tonight. He said staff indicates there is 19,000 lineal feet of footage on NE 116 Street to be improved, and if we agree fifty-four percent is the community's responsibility, private development has contributed seventy-two percent to fulfill their obligation, leaving approximately 2800 lineal feet of half-road frontage improvements yet to be completed. He stated that the

private sector is almost done with their part of the improvements and asked how close is the city in completing its part? He concluded that the current system of private sector mitigation is working.

Duana Kolouskova, 1500 114 Avenue SE, Suite 102, Bellevue 98004, speaking on the NE 116 Street overlay, noted the Council's receipt of correspondence and declarations from property owners in the area encouraging the Council to reject the idea of an overlay district and look at the funding the city would have to undertake to complete the improvements.

ANNOUNCEMENTS

The Mayor announced the following changes to the agenda:

- Add a discussion with the City Attorney and Planning and Community Development Director regarding the scheduling of the Wildlife Habitat Plan for Council consideration.
- Add appointment to Council Position 2

EXCUSE COUNCILMEMBER DORNING

Motion by Mr. Cole, second by Ms. McCormick, to excuse Councilmember Dorning. Motion carried unanimously (5 - 0).

CONSENT AGENDA

Motion by Ms. McCormick, second by Mr. Paine, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the regular meeting of November 4, 2003
- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#156518 through 156641; and
#115763 through 116335 \$1,122,974.92

CLAIMS CHECKS:

#210587 through 211004 \$2,588,962.07

- (3) authorize the Mayor to sign the Communication Law Enforcement Service Contract permitting the City of Redmond to continue to provide police

communications services to the City
of Duvall

- (4) approve an amendment to the Settlement Agreement regarding Novelty Hill Urban Planned Developments (UPD Settlement Agreement), resulting in contributions of \$3,100,000 toward construction of the Union Hill Road project
- (5) authorize the Mayor to execute, on behalf of the City of Redmond:
 - a) a Lease Addendum for the property known as the City Annex Building at 15965 NE 85 Street, which includes a 14,918 square foot building; and
 - b) a Lease Addendum for 5,000 square feet of office space at 8414 154 Avenue NE, Westpark Building M, based on negotiated terms
- (6) approve that the fair and reasonable price for providing engineering services for design of the Peters Creek Culvert replacement associated with the 2004 Miscellaneous Water Systems Improvements, Project Nos. 04-OW-79 and 03-NR-37, is \$132,000 plus \$10,000 for contingencies, for a total amount of \$142,000; and authorize the Mayor to sign the agreement.

Motion carried unanimously (5 - 0).

REPORTS

Staff Report - City Hall Project Update

David Rhodes, Director of Public Works, said the joint meeting scheduled for November 20, 2003 with the Design Review Board was rescheduled to Monday, November 24, 2003. He said Wright-Runstad will have a fixed cost for the project in a couple of weeks, and then the lease can be scheduled for Council action; the goal is for the Council to take action before the end of the year, but that depends on how quickly other work can be done. He added it is anticipated that the cost could be higher than what the Council has talked about, so value engineering will be the next step.

The Council requested that the site plan, building, and parking garage elevations be transmitted to the Council prior to the joint meeting with the Design Review Board.

Staff Report - Redmond-Hartman Pool's First Six Months

The Mayor, in a memorandum dated November 18, 2003, updated the Council on highlights of pool operations during the first six months.

Chris Sumi, Pool Operations Manager, Northwest Center, gave the Council a report of the first six months of pool operations.

Staff Report - Update on Transportation Chapter and Downtown Transit-Oriented Development

Terry Marpert, Planner, in a memorandum to the City Council dated November 18, 2003, gave an overview of the ongoing work on the Transportation Chapter of the Comprehensive Plan, and an update on the transit improvements and transit-oriented development that METRO is evaluating for the downtown park-and-ride lot.

Mr. Marpert said Mr. Charlier is preparing a series of issue papers on transit, examination of mobility, and concurrency, and the Council will have an opportunity to have further discussion with him on December 9, 2003.

Councilmember Robinson asked for clarification regarding the Planning Commission's recommendation on the NE 83 Street park-and-ride lot. Mr. Marpert replied the Planning Commission thought the park-and-ride lot downtown should stay on NE 83 Street near the transit-oriented development; also, the Commission thought it was desirable for the high capacity transit (HCT) station to have a connection to the other transit stations in the area. He concluded the Planning Commission felt HCT should have a tie to the downtown, but did not want it to come into the downtown because it would be disruptive to the downtown character.

Rob Odle, Policy Planning Manager, said one issue the Council needs to discuss is the role of the downtown park-and-ride lot: how does the city see it changing, how does it work with the other lots as a system, and the potential of transit-oriented development at the downtown park and ride where the neighborhood would rely on transit as the primary mode of transportation.

Councilmember Plackett suggested that the Council review how things have worked at the Overlake transit-oriented development project. She said there are a number of

practical things to consider that complement transit-oriented development, such as park facilities and bus shelters.

Councilmember McCormick asked staff to bring back information on the cost, advantages, and disadvantages of shuttle services at the December 9, 2003 study session.

OMBUDSMAN REPORT

Councilmember Cole said a couple of weeks ago Mr. Rondel spoke to the Council regarding the acquisition of the Verizon property near Grass Lawn Park and a resident had given him a copy of the flyer the city distributed. He added that two people contacted him about whether the city was going to take action on the Patriot Act.

Councilmember Plackett asked Danny Hopkins, Parks and Recreation Department Director, to comment on the request that the city consider naming the Senior Center theater after Fred Meitzer.

Mr. Hopkins said staff has asked Ms. Meitzer for additional information. He explained that there is a two-year timeframe in the city's naming rules, and the request has to be reviewed by staff and the Park Board; if the Board feels the request is appropriate, it is then forwarded to the Council.

Councilmember McCormick said the Council discussed the reimbursement agreements for the Whistler Ridge project and referred it to the Hearing Examiner, with follow-up agreements to come to the Council. She asked for a timeframe from staff on when that would occur. James E. Haney, City Attorney, replied the agreements need to be finalized, and they will be coming to the Council shortly.

Councilmember McCormick said she received feedback that neighbors have not received notification about a proposed sewer easement for a short plat on NE 116 Street through commonly owned property.

SECOND HALF - 2003 HOTEL-MOTEL TAX FUND AWARDS

The Mayor, in a memorandum to the City Council dated November 18, 2003, recommended approval of the grant awards.

Motion by Mr. Cole, second by Mr. Paine, to approve the recommendations of the Tourism Promotion Funding Review Committee regarding grant awards for the second round of funding in 2003 totaling \$98,500.

November 18, 2003

Referring to the concerts at Marymoor Park funded at \$75,000, Councilmember Robinson said they have impacted the quality of life of the neighborhood, and he did not want to fund it because he thought the concerts were badly handled by the King County.

Councilmember Paine, chair of the Tourism Promotion Funding Review Committee, said one of the new projects on the list is a \$50,000 request for the Tourism Coordination Program, brought to the committee by Jim Pearman, who spoke to the Council during Items From the Audience. He added that the Committee was also excited about the proposal from the Marymoor Velodrome Association.

Motion carried unanimously (5 - 0).

ORDINANCE - FAIRWINDS RETIREMENT COMMUNITY PLANNED RESIDENTIAL DEVELOPMENT, L030003; AND CONDITIONAL USE PERMIT, L030004 (QUASI-JUDICIAL)

The Mayor, in a memorandum to the City Council dated November 18, 2003, recommended approval of the Hearing Examiner's recommendations.

Motion by Mr. Cole, second by Mr. Robinson, to adopt Ordinance No. 2182, approving the Fairwinds Retirement Community Planned Residential Development (L030003) and Conditional Use Permit (L030004) subject to the conditions outlined in the Hearing Examiner's report dated October 22, 2003.

Ordinance No. 2182, adopting the Hearing Examiner's October 22, 2003 recommendation to approve with conditions the Fairwinds Retirement Community Planned Residential Development (L30003) and Conditional Use Permit (L30004), and establishing an effective date, was presented and read.

Upon a poll of the Council, Cole, McCormick, Paine, Plackett, and Robinson voted aye. Motion carried unanimously (5 - 0).

COUNCIL EMAIL POLICY

The Mayor, in a memorandum to the City Council dated November 18, 2003, recommended that the Council review the City Council email policy adopted on April 15, 2003, and continue with the present single-system policy, or adopt a single-system policy that allows the city to maintain the public record, as required by law.

Peter Robinson, Information Services Manager, explained on June 18, 2002 the Council decided that all Councilmembers should use the city email system, but that proved problematic, so on April 15, 2003, the Council changed it so Councilmembers could use either their personal system or the city's system, but not both. He said Councilmember McCormick is proposing to be able to use both her own email system and the city's system, but that would mean that Information Services would need to understand each individual's email system. He said staff would like to establish clarity on the issue.

Councilmember McCormick said at first the Council had email on their home systems and on their city laptops. She said when the Council talked about letting individual Councilmembers choose whether to have email come to their laptop or to their home computer she did not realize it was a choice. She said there are attachments city staff sends out to the Council that she scans into her laptop and puts into folders, because everything comes to her home email address and she cannot send it to her laptop.

Mr. Robinson said it is feasible for Councilmembers to access their home computer via email from the laptop and save file attachments in a folder on the laptop.

ORDINANCE - NE 116 STREET TRANSPORTATION IMPACT FEE OVERLAY DISTRICT

Motion by Ms. McCormick, second by Mr. Paine, to remove the item from the table.
Motion carried unanimously (5 - 0).

The Mayor, in a memorandum to the City Council dated October 7, 2003, recommended approval of the NE 116 Street Transportation Impact Fee Ordinance as proposed.

The City Attorney clarified that the original motion made at the October 7, 2003 Council meeting is now before the Council.

Motion by Mr. Paine, second by Mr. Cole, to adopt Ordinance No. 2179, creating a NE 116 Street Transportation Impact Fee Overlay District, and establishing a corresponding impact fee.

Councilmember McCormick identified several issues/questions:

- There has been quite a bit of testimony that people have not been notified, or that notification did not identify the amount of money people would have to pay.
- How would future homeowners bear the cost?
- We do not know yet what the cost is. Has there been a cost/benefit analysis?

- The configuration of the overlay district is not known.
- Staff needs to meet with the neighborhood residents to get a sense of the design and how they feel about impact fees.
- What changes are proposed for the roadway; are just turn lanes being added?
- If the overlay district is approved and it adds to the cost of the homes, what does that do to regional transportation costs if people cannot afford to live here?
- Fairness and precedent.
- The overlay district fees are based on a sixty-five-foot roadway, which is not in the Comprehensive Plan.

Councilmember Paine said this proposal has gone through the process; it went to the Planning Commission, and notice was mailed out. He noted no decision is continuing to delay and do nothing. He urged the Council to vote for it this time.

Councilmember Plackett stated the Council has not adopted a policy that says growth pays for growth. She said if this overlay district is established, the Council will be making a policy decision; it will set a precedent for other roads. She concluded if the impact fee revenue is insufficient, then the Council needs to review them.

The Mayor stated the residents in north Redmond would not pay the full cost of the road improvements. She said the city cannot continue to do things the way it has done in the past; it has to look at new initiatives, and the Council has to try to provide some alternatives.

Councilmember Robinson did not support establishing the overlay district. He said if growth is going to pay for itself, in time Redmond would not have growth. He stated the entire community will benefit from the roadway improvements; the real issue is the quality of life in the city.

RECESS

The Mayor declared a recess at 9:30 p.m. The meeting reconvened at 9:40 p.m.

Councilmember McCormick agreed with Councilmember Robinson's comments. Responding to Councilmember Paine's remarks, she said she thought citizens would be willing to support a transportation package of improvements throughout the city. Although she would not support the proposal as currently drafted, she concluded, she was not strongly opposed to it and was willing to work on it.

Councilmember Cole said he has voted for this several times. He said he was not happy about the percentage of traffic

coming from outside the area, but the Planning Commission did a good job of making a reasonable proposal.

In response to a question from Councilmember Paine, Councilmember McCormick said she hoped the Council would have another option to consider within six months. She noted a neighborhood meeting is tentatively scheduled in January 2004, but some of the transportation master plan work would not be done until later in 2004.

Councilmember Paine said the information will never be perfect, and to wait a year for it is too long. He liked the idea of a short-term moratorium.

The Mayor said she would entertain a motion to bring back in two weeks a proposal for a short-term moratorium, and, hopefully, this issue could be resolved in two or three months.

Councilmember Robinson commented that even if staff came back in two weeks and what was initially proposed was passed, the city is many millions short from funding and implementing the NE 116 Street improvements project. He said he would like to see an overall plan by staff in support of building NE 116 Street in a timely manner.

Ordinance No. 2179, adopting a NE 116 Street Transportation Impact Fee Overlay District as an amendment to Chapter 20D.210 of the Redmond Municipal Code and Redmond Community Development Guide; establishing a transportation impact fee for such district; providing for severability and establishing an effective date, was presented and read.

Upon a poll of the Council, the motion failed (2 - 3), with Cole and Paine voting aye, and McCormick, Plackett, and Robinson voting nay.

The Mayor urged that the Council consider a short-term moratorium; staff could present an action item during the next two weeks.

Councilmember Paine said in looking at the Transportation Improvement Program and where the money is allocated, the Council has always arrived at the conclusion that the city cannot put other projects on hold while it dedicates funds to the NE 116 Street improvements project. He concluded it is time to make a decision.

Motion by Mr. Paine to direct staff to prepare a moratorium ordinance regarding new development applications in the NE 116 Street corridor and present it for Council

consideration at the December 2, 2003 meeting.

The motion died for lack of a second.

WILDLIFE HABITAT PLAN

Mr. Haney said the Wildlife Habitat Plan was pulled from tonight's agenda because the Growth Management Act allows the Council to consider amendments to the Comprehensive Plan once a year, and the city has already acted on the 2003 amendments. He explained the Wildlife Habitat Plan was proposed as a Comprehensive Plan amendment in 2001, so the Council could remove it from the Comprehensive Plan docket and consider it next year. He added that even if the Wildlife Habitat Plan amendment was placed on the December 2, 2003 agenda with the understanding that it would be defeated, the Council would be considering more than one amendment within a year. He concluded that revisions to the Sensitive Areas Ordinance would also be presented to the Council in 2004, so the timing would be appropriate.

Councilmember Cole said this Council and the Planning Commission spent a lot of time discussing the proposed Plan and spoke in favor of including an action item on December 2, 2003.

Roberta Lewandowski, Director, Planning and Community Development, explained that staff should have re-docketed things that did not get done in the first amendment package each year, but it is too late now. She said the Wildlife Habitat Plan is part of the Sensitive Areas Ordinance, so it would be re-docketed that way. She asked Councilmembers to identify for staff the issues that would cause them to vote against the Plan.

There was consensus to bring back the Wildlife Habitat Plan for Council consideration at the December 2, 2003 meeting.

COUNCIL APPOINTMENT TO POSITION 2

David Rhodes, Director of Public Works, said staff has allocated an hour to discuss the City Hall Project with the Design Review Board at the joint meeting on Monday, November 24, 2003, prior to the executive session on Council Position 2.

Councilmember Paine was concerned about meeting in an executive session. He wondered why the Council could not discuss the positives of the ten candidates in a public meeting.

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Councilmember Robinson said there are specific guidelines for executive sessions, and wondered if the city attorney should facilitate that discussion.

There was consensus to support an executive session on November 24, 2003, after the joint meeting with the Design Review Board.

EXECUTIVE SESSION AND ADJOURNMENT

The Mayor recessed the meeting at 10:17 p.m. The Council held an executive session on labor relations for approximately ten minutes. There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:25 p.m.

MAYOR

CITY CLERK